

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE WESTERN DISTRICT OF OKLAHOMA

3 ALICE SHACKELFORD,

4 Plaintiff,

5 vs.

No. CIV-18-0456-HE

6 AMERICAN INCOME LIFE
7 INSURANCE COMPANY,

8 Defendant.

9 VIDEO DEPOSITION OF JOEL SCARBOROUGH
10 Taken on Behalf of the Plaintiff
11 On April 25, 2019, beginning at 2:01 p.m.
12 In Plano, Texas

13 APPEARANCES:

14 Appearing on behalf of the PLAINTIFF

15 Jacob Rowe
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18 Appearing on behalf of the DEFENDANT

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24 Videographer: Stesha Ferguson Snow

25 Reported By: Becky C. Dame, CSR, RPR

1 responsibility.

2 Q And an insurance company must
3 contemporaneously memorialize pertinent
4 claim-related events?

5 A That is the best practice.

6 Q That's a -- the memorialization of
7 pertinent claim file events is also part of the
8 Unfair Claims Settlement Practices Act, isn't it?

9 A Okay.

10 Q Is it your understanding that it is?

11 A I -- I don't know the act verbatim. If
12 you represent to me that it is, then I'll believe
13 you.

14 Q Well, my wording is poor, but I think that
15 we can all agree that it's a part of the Unfair
16 Claims Settlement Practices Act.

17 Have you ever heard the colloquialism that
18 "If it's not in the claim file, it didn't happen"?

19 A I have not. I've heard it during this
20 case I think three times, but, otherwise, no.

21 Q An insurance company must know and
22 understand the laws in the jurisdiction in which it
23 sells insurance policies; true?

24 A Can you repeat that?

25 Q Sure. An insurance company must know and

1 understand the laws in the jurisdiction in which
2 they sell insurance policies?

3 A I would agree with that.

4 Q And an insurance company must adopt and
5 implement reasonable standards for the investigation
6 of payments and claims made by its insured; correct?

7 A Yes.

8 Q And those procedures must also comply with
9 the laws of the jurisdictions in which those
10 policies are sold?

11 A Yes.

12 Q American Income sells life insurance
13 policies, accident policies, and other sorts of
14 insurance products; true?

15 A Yes.

16 Q And the job that American Income has is:
17 When a claim is made, using the standards that we
18 talked about just a moment ago, make sure the
19 promise of the policy is met, if the policy provides
20 for that; true?

21 MS. TERRY: Object to the form.

22 THE WITNESS: I'm sorry. Can you repeat
23 the question?

24 BY MR. ROWE:

25 Q Sure. When a beneficiary of American